

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-0.111 (Chapter 40E-0, Exceptions to the Uniform Rules of Procedure)	Exemptions and Variances for Well Construction Permits	Amend	Sets forth an exemption for any affected person who cannot comply with the SFWMD's rules regarding well construction permits without suffering undue hardship.	The South Florida Water Management District (SFWMD) may amend pursuant to the statewide well construction rulemaking effort being undertaken by the Florida Department of Environmental Protection (FDEP) and the water management districts (WMDs) to reduce regulatory burdens and promote consistency.	Update Rule	SERC	No
40E-0.113	Variances from Specified Review Criteria for Environmental Resource Permits	Amend	Sets forth variance procedures in addition to those set forth in Chapter 28-104, F.A.C., which implements Section 120.542, F.S.	The SFWMD may amend this section to reflect potential statutory changes and changes to Chapter 40E-4, and to consider if any provisions are redundant of statutes.	Update Rule	No SERC Required	No
40E-0.115	Variances from Water Use Restrictions	Amend	Sets forth process to request relief from water use restrictions set forth in Chapter 40E-21, F.A.C.	The SFWMD may amend pursuant to the statewide consumptive use consistency (CUPCon) rulemaking effort being undertaken by the FDEP and the WMDs to reduce regulatory burdens and promote consistency.	Update Rule	SERC	No
40E-1.602 (Chapter 40E-1, General and Procedural)	Permits Required	Amend	Sets forth activities that require a permit from the SFWMD.	Amend pursuant to the CUPCon rulemaking effort being undertaken by the FDEP and the WMDs to reduce regulatory burdens and promote consistency. Amend as part of the Statewide Environmental Resource Permit (SWERP) rulemaking effort being undertaken by FDEP in coordination with the WMDs to promote consistency.	Update Rule	SERC	No

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-1.603	Application Procedures for Conceptual Approval, Individual and Standard Permits	Amend	Provides procedures for processing applications in addition to those set forth in Section 120.60, F.S., and Chapter 28-106, F.A.C.	Amend pursuant to the CUPCon rulemaking effort being undertaken by the FDEP and the WMDs to reduce regulatory burdens and promote consistency. Amend as part of the SWERP rulemaking effort being undertaken by FDEP in coordination with the WMDs to promote consistency.	Update Rule	SERC	No
40E-1.6065	Consideration of Intended Agency Decision on Permit Applications	Amend	Sets forth process once an application is deemed complete.	Amend pursuant to the CUPCon rulemaking effort being undertaken by the FDEP and the WMDs to reduce regulatory burdens and promote consistency. Amend as part of the SWERP rulemaking effort being undertaken by FDEP in coordination with the WMDs to promote consistency.	Update Rule	SERC	No
40E-1.607	Permit Application Processing Fees	Amend	Sets forth permit application processing fees mandated by 373.109, F.S.	Amend fee schedules or categories pursuant to the SWERP, CUPCon and well construction consistency efforts being undertaken by FDEP and the WMDs.	Update Rule	SERC	No
40E-1.6105	Notification of Transfer of Interest in Real Property	Amend	Requires permittees to notify the SFWMD within 30 days of any transfer of interest or control of the real property.	Amend pursuant to the CUPCon and well construction rulemaking efforts being undertaken by the FDEP and the WMDs to reduce regulatory burdens and promote consistency.	Update Rule	SERC	No
40E-1.6107	Transfer of Permits	Amend	Process for permittees to transfer permits to ensure the appropriate person/entity is responsible for permit conditions.	This section may be amended pursuant to the SWERP or CUPCon efforts being undertaken by the FDEP and the WMDs to reduce regulatory burdens and promote consistency.	Update Rule	SERC	No

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-1.659	Forms and Instructions	Amend	Provides a helpful listing by date and title of all forms incorporated in the SFWMD's rules.	Amend required forms and instructions pursuant to the SWERP, CUPCon and well construction consistency efforts being undertaken by the FDEP and the WMDs.	Update material incorporated by reference	SERC	No
40E-2.010 (Chapter 40E-2, Consumptive Use)	Review of Consumptive Use Permit Applications	Rule Amendment	Details statutes and rules associated with permit processing.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	No
40E-2.011	Policy and Purpose	Rule Amendment	Describes the scope of the consumptive use permit program and identifies related rule chapters.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	No
40E-2.031	Implementation	Rule Amendment	Details the effective dates for the consumptive use permit program.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	No
40E-2.041	Permits Required	Rule Amendment	Describes activities that require a permit.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	No
40E-2.051	Exemptions	Rule Amendment	Describes exempt activities that do not need a permit.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	No
40E-2.061	No-Notice General Permit by Rule	Rule Amendment	Provides a permit by rule to single family homeowners for outdoor water use.	Rulemaking associated with the CUPCon Initiative. Amend permit types and thresholds to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-2.091	Publications Incorporated by Reference	Rule Amendment	Incorporates by reference the application forms and review criteria.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-2.101	Content of Application	Rule Amendment	Describes necessary forms and information that constitute a consumptive use permit application.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-2.301	Conditions for Issuance of Permits	Rule Amendment	Describes conditions for issuance of a consumptive use permit.	Rulemaking associated with the CUPCon Initiative. Revise conditions for issuance of a consumptive use permit to provide for consistency among the WMDs.	Update Rule	SERC	Yes
40E-2.321	Duration of Permits	Rule Amendment	Describes duration for which a consumptive use permit may be issued.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-2.331	Modification of Permits	Rule Amendment	Provides criteria for modifying a permit.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-2.341	Revocation of Permits	Rule Amendment	Provides procedures associated with permit violation and potential revocation.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-2.351	Transfer of Permits	Rule Amendment	Provides criteria for transferring a permit.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-2.381	Limiting Conditions	Rule Amendment	Provides for standard and specific permit conditions.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-2.451	Emergency Authorization		Describes emergency authorization process and circumstances.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	No
40E-2.501	Permit Classification		Describes how consumptive use permits will be classified.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	No
40E-3.011 (Chapter 40E-3, Water Wells)	Policy and Purpose	Rule Amendment	Describes the purpose of Chapter 40E-3 regarding regulation of water wells.	As part of the 2011 Rule Review, the SFWMD identified this rule for amendment or partial repeal to streamline or reduce regulatory burdens. Additionally, if a statewide consistency initiative begins in 2013 for the water well program, then this rule may be amended to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	No
40E-3.021	Definitions	Rule Amendment	Defines key terms used in Chapter 40E-3, F.A.C.	As part of the 2011 Rule Review, the SFWMD identified this rule for amendment or partial repeal to streamline or reduce regulatory burdens. Additionally, if a statewide consistency initiative begins in 2013 for the water well program, then this rule may be amended to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-3.032	Delegation	Amend	Delegates general administration of Chapter 40E-3, F.A.C. to the Executive Director.	As part of the 2011 Rule Review, the SFWMD identified this rule for amendment or partial repeal to streamline or reduce regulatory burdens. Additionally, if a statewide consistency initiative begins in 2013 for the water well program, then this rule may be amended to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	No
40E-3.035	Agreements	Amend	Incorporates numerous agreements between the SFWMD and other agencies regarding the water well permitting program.	As part of the 2011 Rule Review, the SFWMD identified this rule for amendment or partial repeal to streamline or reduce regulatory burdens. Additionally, if a statewide consistency initiative begins in 2013 for the water well program, then this rule may be amended to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	No
40E-3.036	Rules and Publications Incorporated by Reference	Amend	Incorporates DEP's rules regarding the well contractor licensing program and all wells constructed, repaired, or abandoned in the SFWMD.	As part of the 2011 Rule Review, the SFWMD identified this rule for amendment or partial repeal to streamline or reduce regulatory burdens. Additionally, if a statewide consistency initiative begins in 2013 for the water well program, then this rule may be amended to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-3.038	Violations of Contractor Licensing and Well Construction Requirements	Amend	Informs the public of the statutes and rules regarding violations of the contractor licensing requirements.	As part of the 2011 Rule Review, the SFWMD identified this rule for amendment or partial repeal to streamline or reduce regulatory burdens. Additionally, if a statewide consistency initiative begins in 2013 for the water well program, then this rule may be amended to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	No
40E-3.040	Scope of Part I	Amend	Sets forth the scope of rules in Part I relating to permitting requirements applicable to construction, repair or abandonment of wells.	As part of the 2011 Rule Review, the SFWMD identified this rule for amendment or partial repeal to streamline or reduce regulatory burdens. Additionally, if a statewide consistency initiative begins in 2013 for the water well program, then this rule may be amended to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	No
40E-3.041	Permits Required	Amend	Requires permits from the SFWMD or delegated agency prior to the construction, repair or abandonment of any water well within the SFWMD's jurisdiction.	As part of the 2011 Rule Review, the SFWMD identified this rule for amendment or partial repeal to streamline or reduce regulatory burdens. Additionally, if a statewide consistency initiative begins in 2013 for the water well program, then this rule may be amended to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	No

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-3.051	Exemptions	Amend	Sets forth exemptions from water well permitting requirements.	As part of the 2011 Rule Review, the SFWMD identified this rule for amendment or partial repeal to streamline or reduce regulatory burdens. Additionally, if a statewide consistency initiative begins in 2013 for the water well program, then this rule may be amended to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-3.101	Content of Application	Amend	Provides procedure for submitting applications for water well permits.	As part of the 2011 Rule Review, the SFWMD identified this rule for amendment or partial repeal to streamline or reduce regulatory burdens. Additionally, if a statewide consistency initiative begins in 2013 for the water well program, then this rule may be amended to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-3.301	Conditions for Issuance of Permits	Amend	Provides conditions a permit applicant must comply with in order to receive a water well permit.	As part of the 2011 Rule Review, the SFWMD identified this rule for amendment or partial repeal to streamline or reduce regulatory burdens. Additionally, if a statewide consistency initiative begins in 2013 for the water well program, then this rule may be amended to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-3.321	Duration of Permits	Amend	Sets forth the duration of water well permits and provides process for requesting extensions.	As part of the 2011 Rule Review, the SFWMD identified this rule for amendment or partial repeal to streamline or reduce regulatory burdens. Additionally, if a statewide consistency initiative begins in 2013 for the water well program, then this rule may be amended to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	No
40E-3.341	Suspension and Revocation	Amend	Sets forth circumstances in which the SFWMD or delegated agency may suspend or revoke a permit to construct, repair or abandon a well.	As part of the 2011 Rule Review, the SFWMD identified this rule for amendment or partial repeal to streamline or reduce regulatory burdens. Additionally, if a statewide consistency initiative begins in 2013 for the water well program, then this rule may be amended to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-3.411	Well Completion Reports	Amend	Requires water well contractors to submit a fully completed well completion report regardless of whether a permit is required.	As part of the 2011 Rule Review, the SFWMD identified this rule for amendment or partial repeal to streamline or reduce regulatory burdens. Additionally, if a statewide consistency initiative begins in 2013 for the water well program, then this rule may be amended to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-3.451	Emergency Authorization	Amend	Sets forth conditions which must exist in order for the SFWMD's Executive Director to issue an emergency water well construction permit.	As part of the 2011 Rule Review, the SFWMD identified this rule for amendment or partial repeal to streamline or reduce regulatory burdens. Additionally, if a statewide consistency initiative begins in 2013 for the water well program, then this rule may be amended to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-3.461	Inspection	Amend	Sets forth the procedure for the SFWMD to inspect any well within its jurisdiction.	As part of the 2011 Rule Review, the SFWMD identified this rule for amendment or partial repeal to streamline or reduce regulatory burdens. Additionally, if a statewide consistency initiative begins in 2013 for the water well program, then this rule may be amended to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	No
40E-3.500	Scope of Part II	Amend	Identifies that the DEP rules that relate to the standards and criteria for the construction, repair and abandonment of wells.	As part of the 2011 Rule Review, the SFWMD identified this rule for amendment or partial repeal to streamline or reduce regulatory burdens. Additionally, if a statewide consistency initiative begins in 2013 for the water well program, then this rule may be amended to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-3.502	Construction Methods		Sets forth construction methods and standards for construction, repair or abandonment of wells in the SFWMD.	As part of the 2011 Rule Review, the SFWMD identified this rule for amendment or partial repeal to streamline or reduce regulatory burdens. Additionally, if a statewide consistency initiative begins in 2013 for the water well program, then this rule may be amended to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-3.504	Location	Amend	Sets forth the requirements for placing wells so as not to pose a threat of contamination to the water resource and to provide for the protection of the health, safety and welfare of the user.	As part of the 2011 Rule Review, the SFWMD identified this rule for amendment or partial repeal to streamline or reduce regulatory burdens. Additionally, if a statewide consistency initiative begins in 2013 for the water well program, then this rule may be amended to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-3.507	Casing and Liner Pipe Standards	Amend	Sets forth the standards for well casing, linear pipe, and well screens in addition to those standards set forth in 62-532.500, F.A.C.	As part of the 2011 Rule Review, the SFWMD identified this rule for amendment or partial repeal to streamline or reduce regulatory burdens. Additionally, if a statewide consistency initiative begins in 2013 for the water well program, then this rule may be amended to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-3.512	Well Construction Requirements	Amend	Sets forth requirements for constructing wells to ensure no harm to the water resources.	As part of the 2011 Rule Review, the SFWMD identified this rule for amendment or partial repeal to streamline or reduce regulatory burdens. Additionally, if a statewide consistency initiative begins in 2013 for the water well program, then this rule may be amended to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-3.517	Grouting and Sealing	Amend	Sets forth grouting and sealing requirements in addition to those in Chapter 62-532.500(2)(f), F.A.C., to protect the water resource from degradation caused by movement of waters along the wells annulus, and to prevent loss of pressure in artesian aquifers.	As part of the 2011 Rule Review, the SFWMD identified this rule for amendment or partial repeal to streamline or reduce regulatory burdens. Additionally, if a statewide consistency initiative begins in 2013 for the water well program, then this rule may be amended to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-3.521	Well Seals	Amend	Sets forth the requirements for well seals.	As part of the 2011 Rule Review, the SFWMD identified this rule for amendment or partial repeal to streamline or reduce regulatory burdens. Additionally, if a statewide consistency initiative begins in 2013 for the water well program, then this rule may be amended to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-3.525	Explosives	Amend	Prohibits use of explosives in well construction or development, unless specifically approved by the FDEP.	As part of the 2011 Rule Review, the SFWMD identified this rule for amendment or partial repeal to streamline or reduce regulatory burdens. Additionally, if a statewide consistency initiative begins in 2013 for the water well program, then this rule may be amended to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-3.529	Flowing Wells	Amend	Requires installation of a valve to control the discharge from a well that flows at land surface.	As part of the 2011 Rule Review, the SFWMD identified this rule for amendment or partial repeal to streamline or reduce regulatory burdens. Additionally, if a statewide consistency initiative begins in 2013 for the water well program, then this rule may be amended to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-3.531	Abandoned Well Plugging	Amend	Sets forth circumstances in which a well will be deemed abandoned and requires proper plugging by a licensed water well contractor.	As part of the 2011 Rule Review, the SFWMD identified this rule for amendment or partial repeal to streamline or reduce regulatory burdens. Additionally, if a statewide consistency initiative begins in 2013 for the water well program, then this rule may be amended to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-3.600	Scope of Part VI	Amend	This Part grants a general permit for certain specified well construction, repair or abandonment activities which have been determined by the SFWMD to exist in unique geographic areas.	As part of the 2011 Rule Review, the SFWMD identified this rule for amendment or partial repeal to streamline or reduce regulatory burdens. Additionally, if a statewide consistency initiative begins in 2013 for the water well program, then this rule may be amended to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	No
40E-3.601	General Permit for Water Wells within a Portion of Southern Miami-Dade County	Amend	Grants a general permit to those wells intended for agricultural use which do not exceed 25 feet in depth and which are located within a portion of Southern Miami-Dade County as depicted on Figure 3-1 and within the boundaries of the legal description provided.	As part of the 2011 Rule Review, the SFWMD identified this rule for amendment or partial repeal to streamline or reduce regulatory burdens. Additionally, if a statewide consistency initiative begins in 2013 for the water well program, then this rule may be amended to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	No
40E-4.010 (Chapter 40E-4 , Environmental Resource Permits)	Review of Environmental Resource Permit Applications	Repeal	Sets forth the statutes governing the processing of environmental resource permit applications.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-4.011	Policy and Purpose	Repeal	Sets forth the SFWMD's policy regarding regulation of activities in, on or over wetlands or other surface waters and the management and storage of all surface waters within its boundaries.	Delete (1)–(3). It is uncertain if (4) will be deleted for the same reasons.	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-4.021	Definitions	Repeal	Defines terms used throughout Chapter 40E-4, 40E-40, 40E-41 and 40E-400, F.A.C.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-4.031	Implementation	Repeal	Sets forth the effective dates for the environmental resource permit program.	It is uncertain if this section will be deleted for the reasons explained in the note.	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-4.041	Permits Required	Repeal	Explains that permits are required in order to construct, alter, operate, maintain, remove or abandon any stormwater management system, dam, impoundment, reservoir, appurtenant work or works, or any combination thereof, including dredging or filling without first having obtained an environmental resource permit and sets forth the types of environmental resource permits.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-4.0415	Permit Thresholds	Repeal	Sets forth the thresholds in which an environmental resource permit must be obtained.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-4.042	Formal Determination of Wetlands and Other Surface Waters	Repeal	Provides information regarding petitions for formal determinations of wetlands and references the rules setting forth the process and procedures for filing.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-4.051	Exemptions From Permitting	Repeal	Sets forth activities which are exempt from regulation under Section 373, Part IV, F.S.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-4.0515	Exemptions From Specified Review Criteria	Repeal	Sets forth additional activities which are exempt from specified review criteria under Chapters 40E-4 and 40E-40, F.A.C.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-4.054	Modification of Exempt Projects	Repeal	Sets forth circumstances in which modifications may be obtained.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-4.091	Publications, Rules and Interagency Agreements Incorporated by Reference	Amend	Incorporates publications, rules and interagency agreements relied upon by the SFWMD.	Amend	Other. (This section will be amended to incorporate a new Applicant's Handbook Vol. II. Other sections will be deleted or amended to be consistent with the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-4.101	Content of Permit Applications	Amend	Sets forth the process for submitting permit applications and references the information required.	Amend.	Other. (This section will be amended to incorporate a new Applicant's Handbook Vol. II. Other sections will be deleted or amended to be consistent with the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-4.201	Forms and Instructions	Repeal	References the rule which lists all of the SFWMD's forms.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-4.205	Permit Application Processing Fees	Repeal	Explains that a non-refundable processing fee as specified by Rule 40E-1.607, F.A.C., is required for permit applications.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-4.301	Conditions for Issuance of Permits	Repeal	Sets forth the conditions that must be met for issuance of permits.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-4.302	Additional Conditions for Issuance of Permits	Repeal	Sets forth the additional conditions that must be met for issuance of permits.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-4.303	Environmental Resource Permit Authorization	Repeal	Explains that completed permit applications pursuant to Chapters 40E-4 and 40E-40 shall also constitute an application for compliance with state water quality standards where necessary. Complete applications for projects located in or seaward of coastal counties shall constitute a request for the state's occurrence that the project is consistent with the Florida Coastal Zone Management Program and that issuance of the permit shall constitute such concurrence of consistency.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-4.305	Conceptual Approvals	Repeal	Sets forth information regarding conceptual approvals.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-4.311	Variances from Specified Review Criteria for Environmental Resource Permits	Repeal	Sets forth a process for persons to seek a variance from provisions of Section 373.414, F.S.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-4.321	Duration of Permits	Repeal	Sets forth the duration of each type of environmental resource permit.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-4.331	Modification of Permits	Repeal	Sets forth the process for applications for modifications of environmental resource permits.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-4.341	District Revocation or Modification of Permits	Repeal	Sets forth the circumstances in which the Governing Board may revoke or modify a permit.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-4.351	Transfer of Permits	Repeal	Sets forth information regarding transfer of permits.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-4.361	Conversion from Construction Phase to Operation Phase	Repeal	Sets forth the information required in order to convert an environmental resource or surface water management permit from the construction phase to the operational phase.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-4.381	General Conditions	Repeal	Sets forth the general conditions applicable to and binding on all environmental resource permits.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-4.451	Emergency Authorization	Repeal	Sets forth the two types of emergency authorizations issued by the SFWMD.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-5.011 (Chapter 40E-5, Artificial Recharge)	Policy and Purpose	Amend	Sets forth the policy for issuing permits for projects involving artificial recharge or the intentional introduction of water into any underground formation.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	No
40E-5.021	Definitions	Amend	Defines key terms used in Chapter 40E-5, F.A.C .	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	No
40E-5.031	Implementation	Amend	Implements the effective dates for the artificial recharge permitting program established in this chapter.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	No
40E-5.041	Permits Required	Amend	Requires a permit to operate an artificial recharge system.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	No
40E-5.051	Exemptions	Amend	Exempts injection wells and projects authorized under Section 373.087 or 373.1502, F.S.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	No

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-5.101	Content of Application	Amend	Sets forth the requirements for submitting an artificial recharge application.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-5.301	Conditions for Permit Issuance	Amend	Sets forth the conditions an applicant must provide reasonable assurances to obtain an artificial recharge permit.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-5.321	Duration of Permit	Amend	Sets the duration at 20 years or the demonstrated period of need for the project.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	No
40E-5.331	Modification of Permit	Amend	Requires modification of a permit for artificial recharge or a consumptive use permit containing artificial recharge be in accordance with the provisions in Rule 40E-2.331, F. A.C.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-5.381	Limiting Conditions	Amend	Authorizes the Governing Board to impose reasonable standards and special permit conditions when necessary.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-6.601 (Chapter 40E-6, Works or Lands of the District)	Permit Application Processing Fees	Amend	Sets forth the application processing fee for connecting with and making use of the works and lands of the District.	Revise Right of Way Occupancy Permit Application Processing Fees to reflect agency costs associated with evaluating, processing and mailing applications.	Update Rule	SERC	No

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-7.670 (Chapter 40E-7, Miscellaneous Provisions)	Competitive Solicitation Preferences	Amend	The rules under this Small Business Enterprise Contracting Program establish policies and procedures designed to help small businesses to participate in the SFWMD's procurement and contract activities.	In order to streamline the rule SFWMD is contemplating: deleting (1) Bid Equalizations; amending (3)(b) by changing the maximum amount of participation in a Proposal from 25% to an amount of participation based upon available small businesses in the applicable discipline; and adding new section (3)(d) which will require SFWMD contractors to identify SBE firms at the work order phase of the contract. The amendments may require changes to the related forms.	Update	None	No
40E-7.672	Compliance	Amend	This section of the SBE Rule allows the SFWMD to monitor and evaluate performance.	In order to better monitor and evaluate performance, the proposed amendment will amend section (5) which requires a Prime Contractor to notify the SFWMD when a need to replace a SBE contractor arises. This amendment will also amend the required form as it relates to notification of subcontractor change. The amendments may require changes to the related forms.	Update	None	No
40E-8.011 (40E-8 Minimum Flows and Levels)	Purpose and General Provisions	Amend	Sets forth the purpose of this chapter to establish minimum flows, minimum water levels, and specific minimum flows and levels (MFLs) and to implement recovery and prevention strategies.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among WMDs.	Update Rule	SERC	Yes
40E-8.021	Definitions	Amend	Defines key terms used in Chapter 40E-8, F.A.C.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	No

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-8.221	Minimum Flows and Levels: Surface Waters	Amend	Establishes MFLs for Lake Okeechobee, Caloosahatchee River, Everglades, Northwest Fork of the Loxahatchee River, and Florida Bay.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-8.231	Minimum Levels: Aquifers	Amend	Establishes a minimum level for the Biscayne Bay aquifer.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-8.321	Minimum Flows and Levels: Surface Waters	Amend	Explains that the MFLs identify the point at which further withdrawals would cause significant harm to the water resources or ecology of the area.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-8.331	Minimum Levels: Aquifers	Amend	Sets forth the minimum levels for the lower Tamiami, Sandstone, and mid-Hawthorn aquifers.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-8.341	Minimum Flows and Levels: Surface Waters for Upper East Coast Regional Planning Area	Amend	Establishes the St. Lucie Estuary as a MFL waterbody.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-8.351	Minimum Levels: Surface Waters for Kissimmee Basin Regional Planning Area	Amend	Sets forth the minimum level for Lake Istokpoga.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-8.421	Prevention and Recovery Strategies	Amend	Sets forth prevention and/or recovery strategies in phases for Lake Okeechobee, the Everglades, Caloosahatchee River, Biscayne aquifer, Lower West Coast aquifers, Northwest Fork of the Loxahatchee River, St. Lucie River and Estuary, Lake Istokpoga, and Florida Bay.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-8.431	Consumptive Use Permits	Amend	Allows consumptive use permits that propose to withdraw water directly or indirectly from a MFL waterbody, that meet the conditions for issuance and are consistent with approved recovery and prevention strategies.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-8.441	Water Shortage Plan Implementation	Amend	Implements a water shortage plan when withdrawals from a MFL waterbody result in MFL exceedance or if an MFL exceedance is projected to occur during climatic conditions more severe than 1-in-10 year drought, to the extent consumptive uses contribute to such exceedance.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-10.011 (Chapter 40E-10, Water Reservations)	Policy and Purpose	Amend	States the purpose of Chapter 40E-10, F.A.C., is to establish water reservations to protect fish and wildlife in specified water bodies.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-10.021	Definitions	Amend	Defines key terms used in Chapter 40E-10, F.A.C.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-10.031	Water Reservations Implementation	Amend	Applicants for consumptive use permits must meet the requirements of this rule.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-10.041	Water Reservation Area: Lower West Coast Planning Area	Amend	Establishes water reservations for the Picayune Strand and Fakahatchee Estuary.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-10.051	Water Reservation Areas: Upper East Coast Planning Area	Amend	Establishes a water reservation for the North Fork of the St Lucie River.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-20.010 (Chapter 40E-20, General Water Use Permits)	Review of General Water Use Permit Applications	Amend	References the statutes and rules applicable to processing general water use permit applications.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-20.011	Policy and Purpose	Amend	Sets forth the SFWMD's policy regarding issuance of general water use permits.	Rulemaking associated with the CUPCon Initiative. Amend permit types and thresholds to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-20.061	Delegation of Authority Pertaining to General Water Use Permits		Sets forth the Governing Board's delegation of authority to the Executive Director to issue general water use permits.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	No
40E-20.091	Publications Incorporated by Reference	Amend	Incorporates by reference the "Basis of Review for Water Use Permit Applications within the South Florida Water Management District."	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Incorporated Material	SERC	Yes
40E-20.101	Content of General Water Use Permit Applications	Amend	Sets forth the information that must be included with an application for a general water use permit.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-20.301	Conditions for Issuance of General Water Use Permits	Amend	Sets forth the conditions that an applicant must provide reasonable assurance of meeting in order to obtain a general water use permit.	Rulemaking associated with the CUPCon Initiative. Amend permit types and thresholds to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-20.302	Types of General Water Use Permits	Amend	Sets forth the types of general permits issued by the SFWMD.	Rulemaking associated with the CUPCon Initiative. Amend permit types and thresholds to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-20.321	Duration of General Water Use Permits	Amend	Sets forth the duration of general water use permits and specifies maximum duration for each.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-20.331	Modification of General Water Use Permits	Amend	Provides information regarding applications for modification of general water use permits and references the rules specifying the required information and conditions for issuance.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-20.351	Transfer of General Water Use Permits	Amend	References the rule containing the information which a permittee must comply in order to obtain a permit transfer.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-20.381	Limiting Conditions	Amend	Allows SFWMD staff to impose such reasonable standard and special conditions as are necessary to assure that the permitted use or withdrawal will be consistent with the overall objectives of the District, will not be harmful to the water resources of the District, is reasonable-beneficial, will not interfere with any presently existing legal uses, and is consistent with the public interest.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-21.011 (Chapter 40E-21, Water Shortage Plan)	Policy and Purpose	Amend	This chapter sets forth rules comprising the SFWMD's water shortage plan pursuant to 373.246(1), F.S.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-21.031	Elements of the Plan	Amend	Provides a detailed description of the Water Shortage Plan elements.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-21.051	Definitions	Amend	Defines the terms used throughout this chapter.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-21.132	Water Use Restrictions	Amend	Provides linkage between restrictions in the Indian Prairie Water Use Basin and the Water Shortage Plan.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-21.221	Evaluating Water Conditions	Amend	Sets forth the steps the SFWMD will take to evaluate water conditions and determine whether a water shortage should be declared.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-21.231	Declaring a Water Shortage	Amend	Describes what resource conditions would trigger declaration of a water shortage and allows Governing Board to issue a warning.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-21.251	Water Shortage Phases	Amend	Establishes four phases of water shortage.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-21.271	General Water Use Restriction	Amend	Specifies general water use restrictions for all users.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-21.275	Variances	Amend	Sets forth the circumstances that must exist to receive a variance from water shortage restrictions and proscribes the associated procedures.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-21.291	Implementing a Water Shortage Declaration	Amend	Sets forth the process for implementing a water shortage declaration.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	No
40E-21.331	Declaring a Water Shortage Emergency	Amend	Describes what resource conditions would trigger declaration of a water shortage emergency.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-21.371	Water Use Restrictions in a Water Shortage Emergency	Amend	Specifies water use restrictions for a user subject to an emergency water shortage order.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-21.391	Implementing a Water Shortage Emergency Declaration	Amend	Sets forth the process for implementing a water shortage emergency declaration.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	No
40E-21.401	Monitoring	Amend	Describes the data collection and analysis the SFWMD may undertake in anticipation of and during a water shortage or water shortage emergency.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-21.421	Enforcement	Amend	Sets forth the SFWMD's policy regarding enforcement of the water shortage plan or water shortage order.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	No

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-21.501	Specific Restrictions	Amend	Sets forth specific restrictions applicable to users during a water shortage or water shortage emergency.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	No
40E-21.521	Phase I Moderate Water Shortage	Amend	Details Phase I water shortage restrictions.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-21.531	Phase II Severe Water Shortage	Amend	Details Phase II water shortage restrictions.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-21.541	Phase III Extreme Water Shortage	Amend	Details Phase III water shortage restrictions.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-21.551	Phase IV Critical Water Shortage	Amend	Details Phase IV water shortage restrictions.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-21.631	Source Classes	Amend	Divides source classes into surface water use basins and groundwater sources.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	No
40E-21.651	Use Classes	Amend	Establishes use classes and subcategories.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	No

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-21.671	Method of Withdrawal Classes	Amend	Lists the various methods of withdrawal.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	No
40E-21.691	Surface Water Use Basin Descriptions	Amend	Describes boundaries of the surface water use basins.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	No
40E-22.011 (Chapter 40E-22, Regional Water Shortage Plans)	Policy and Purpose	Amend	Establishes minimum flow and levels for Lake Istokpoga and project canals within the Indian Prairie Basin.	Rulemaking associated with the CUPCon Initiative. Amend rule to reflect legislative repeal of referenced criteria and streamlining.	Update Rule	SERC	No
40E-22.061	Indian Prairie Basin Boundary	Amend	Establishes the boundaries of the Indian Prairie Basin.	Rulemaking associated with the CUPCon Initiative. Amend rule to reflect legislative repeal of referenced criteria and streamlining..	Update Rule	SERC	No
40E-22.072	Minimum Levels	Amend	Sets the minimum levels for Lake Istokpoga and various project canals in the Indian Prairie Basin.	Rulemaking associated with the CUPCon Initiative. Amend rule to reflect legislative repeal of referenced criteria and streamlining.	Update Rule	SERC	Yes
40E-22.122	Termination of Withdrawals	Amend	Requires termination of withdrawals when minimum levels are reached in the Indian Prairie Basin.	Rulemaking associated with the CUPCon Initiative. Amend rule to reflect legislative repeal of referenced criteria and streamlining.	Update Rule	SERC	No
40E-22.212	Policy and Purpose	Amend	Establishes minimum flow and levels for project canals within the St. Lucie County Agricultural Area.	Rulemaking associated with the CUPCon Initiative. Amend rule to reflect legislative repeal of referenced criteria and streamlining.	Update Rule	SERC	No
40E-22.222	St. Lucie County Agricultural Area Boundary	Amend	Establishes the boundaries of the St. Lucie County Agricultural Area.	Rulemaking associated with the CUPCon Initiative. Amend rule to reflect legislative repeal of referenced criteria and streamlining.	Update Rule	SERC	No
40E-22.232	Minimum Levels	Amend	Sets the minimum levels of various project canals in the St. Lucie County Agricultural Area.	Rulemaking associated with the CUPCon Initiative. Amend rule to reflect legislative repeal of referenced criteria and streamlining.	Update Rule	SERC	Yes

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-22.262	Termination of Withdrawals	Amend	Requires termination of withdrawals when minimum levels are reached in the St. Lucie County Agricultural Area.	Rulemaking associated with the CUPCon Initiative. Amend rule to reflect legislative repeal of referenced criteria and streamlining.	Update Rule	SERC	No
40E-22.312	Policy and Purpose	Amend	Identifies the purpose of this section of the SFWMD's regional water shortage plan.	Rulemaking associated with the CUPCon Initiative. Amend rule to reflect legislative repeal of referenced criteria and streamlining.	Update Rule	SERC	Yes
40E-22.322	Geographic Application	Amend	Identifies the geographic area associated with this section of the SFWMDs regional water shortage plan.	Rulemaking associated with the CUPCon Initiative. Amend rule to reflect legislative repeal of referenced criteria and streamlining.	Update Rule	SERC	No
40E-22.332	Water Shortage Triggers	Amend	Identifies water shortage trigger levels in Lake Okeechobee.	Rulemaking associated with the CUPCon Initiative. Amend rule to reflect legislative repeal of referenced criteria and streamlining.	Update Rule	SERC	Yes
40E-24.011 (Chapter 40E-24, Mandatory Year-Round Landscape Irrigation Conservation Measures)	Policy and Purpose	Amend	Sets forth the policy and purpose of mandatory year-round landscape irrigation conservation measures.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	No
40E-24.101	Definitions	Amend	Defines the terms used in Chapter 40E-24, F.A.C.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	No
40E-24.201	Year-Round Landscape Irrigation Conservation Measures	Amend	Sets forth the mandatory year-round landscape irrigation conservation measures.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-24.301	Local Government Option	Amend	Provides an option for local governments to enforce alternative, yet consistent, year-round landscape irrigation conservation measures.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-24.401	Enforcement	Amend	Requires local government assistance when responding to address or location-specific violations of Chapter 40E-24, F.A.C.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-24.501	Variances and Waivers	Amend	Describes the process for users to obtain a variance and provides examples of candidates for a variance.	Rulemaking associated with the CUPCon Initiative. Amend rule to achieve streamlining and greater statewide consistency among the WMDs.	Update Rule	SERC	Yes
40E-40.010 (Chapter 40E-40, Environmental Resource Standard Permits)	Review of Environmental Resource Standard Permit Applications	Repeal	References the statutes and rules in which environmental resource standard permit applications are processed.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-40.011	Policy and Purpose	Repeal	Sets forth the policy regarding environmental resource standard permits.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-40.021	Definitions	Repeal	Refers to Chapters 373, F.S., and Rule 40E-4.021, F.A.C., for terms defined throughout this chapter.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-40.031	Implementation	Repeal	Refers to 40E-4.031, F.A.C., which specifies the effective dates for environmental resource standard permits.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-40.041	Permit Thresholds	Repeal	Sets forth the thresholds for obtaining an environmental resource standard permit.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-40.042	Standard Permit for Incidental Site Activities	Repeal	Defines "incidental site activities" and sets forth the information required in order to receive a permit for such activities.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-40.051	Standard Permit Authorization	Repeal	Provides information regarding authorizations for standard permits.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-40.061	Delegation of Authority Pertaining to General Environmental Resource Permits, General Surface Water Management Permits and Associated Sovereign Submerged Lands Authorizations	Repeal	Sets forth delegation of authority for general environmental resource and surface water management permits and associated sovereign submerged lands.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-40.091	Publications, Rules and Interagency Agreements Incorporated by Reference	Repeal	Refers to Rule 40E-4.091, F.A.C., which incorporates the publications, rules and interagency agreements the SFWMD relies upon when implementing this chapter.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-40.101	Content of Permit Application	Repeal	References Rule 40E-4.101, F.A.C., which sets forth the requirements for environmental resource permit applications.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-40.141	Request for Additional Information	Repeal	Refers to Rule 40E-1.603, F.A.C., for requesting additional information.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-40.302	Conditions for Issuance of Permits	Repeal	References the rules specifying the criteria for standard environmental resource permits and references the rule setting forth the threshold conditions that must be met.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-40.321	Duration of Permits	Repeal	References the rule setting forth the duration of standard permit authorizations.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-40.331	Modification of Permits	Repeal	References the rules in which applications for modifications of environmental resource standard permits shall comply with.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-40.341	District Revocation or Modification of Permits	Repeal	References the statutes and rules which set forth the circumstances in which the Governing Board may modify or revoke an environmental resource standard permit.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-40.351	Transfer of Permits	Repeal	References the rule in which transfer of permits shall be made.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-40.381	General Conditions	Repeal	Sets forth the general conditions for incidental site activities and references the rule which sets forth the general conditions for environmental resource standard permits.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-40.391	Forms and Instructions	Repeal	References the rule which lists all of the forms the District has incorporated by reference.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-40.407	Permit Application Processing Fees	Repeal	References the rule which sets forth the non-refundable permit application processing fee.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-61.011 (Chapter 40E-61, Works of the District Basins)	Policy and Purpose	Amend	Explains the policy and purpose of this chapter regarding specified basins within the SFWMD which are integral to operation, maintenance and protection of the SFWMD's water resources.	Chapter 40E-61 is being substantially re-written to implement the nutrient source control requirements under the Northern Everglades and Estuaries Protection Plan (NEEPP) and the resultant Lake Okeechobee, Caloosahatchee River, and St. Lucie River Watershed Protection Plans. The ultimate goal of the plans is to achieve the total maximum daily load requirements for water quality compliance in each watershed. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals.	Update Rule	SERC	Yes

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-61.020	Scope of Part I	Amend	The scope of Part I of this chapter concerns the Okeechobee Drainage Basin and other tributary sub-basins. The SFWMD is responsible for implementing the Surface Water Improvement and Management (SWIM) Plan for Lake Okeechobee and other priority water bodies that are hydrologically interconnected to Lake Okeechobee.	Chapter 40E-61 is being substantially re-written to implement the nutrient source control requirements under the NEEPP and the resultant Lake Okeechobee, Caloosahatchee River, and St. Lucie River Watershed Protection Plans. The ultimate goal of the plans is to achieve the total maximum daily load requirements for water quality compliance in each watershed. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals.	Update Rule	SERC	Yes
40E-61.021	Definitions	Amend	Defines the terms used throughout Part I of this chapter.	Chapter 40E-61 is being substantially re-written to implement the nutrient source control requirements under the NEEPP and the resultant Lake Okeechobee, Caloosahatchee River, and St. Lucie River Watershed Protection Plans. The ultimate goal of the plans is to achieve the total maximum daily load requirements for water quality compliance in each watershed. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals.	Update Rule	SERC	Yes

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-61.023	Basin and Sub-Basin Boundaries	Amend	Describes the boundaries for the Lake Okeechobee Basin and sub-basins.	Chapter 40E-61 is being substantially re-written to implement the nutrient source control requirements under the NEEPP and the resultant Lake Okeechobee, Caloosahatchee River, and St. Lucie River Watershed Protection Plans. The ultimate goal of the plans is to achieve the total maximum daily load requirements for water quality compliance in each watershed. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals.	Update Rule	SERC	Yes
40E-61.024	Works of the District within the Lake Okeechobee Basin	Amend	Lists the Works of the District within the Lake Okeechobee Drainage Basin.	Chapter 40E-61 is being substantially re-written to implement the nutrient source control requirements under the NEEPP and the resultant Lake Okeechobee, Caloosahatchee River, and St. Lucie River Watershed Protection Plans. The ultimate goal of the plans is to achieve the total maximum daily load requirements for water quality compliance in each watershed. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals.	Update Rule	SERC	Yes

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-61.031	Implementation	Amend	Sets forth the effective date of this rule chapter.	Chapter 40E-61 is being substantially re-written to implement the nutrient source control requirements under the NEEPP and the resultant Lake Okeechobee, Caloosahatchee River, and St. Lucie River Watershed Protection Plans. The ultimate goal of the plans is to achieve the total maximum daily load requirements for water quality compliance in each watershed. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals.	Update Rule	SERC	Yes
40E-61.041	Permits Required	Amend	Specifies the parcels of land that connect with or make use of the Works of the District within the Lake Okeechobee Drainage Basin that require Individual permits.	Chapter 40E-61 is being substantially re-written to implement the nutrient source control requirements under the NEEPP and the resultant Lake Okeechobee, Caloosahatchee River, and St. Lucie River Watershed Protection Plans. The ultimate goal of the plans is to achieve the total maximum daily load requirements for water quality compliance in each watershed. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals.	Update Rule	SERC	Yes

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-61.042	General Permits for Use of Works of the District Within the Lake Okeechobee Basin	Amend	Provides a general permit with conditions for specific parcels of land.	Chapter 40E-61 is being substantially re-written to implement the nutrient source control requirements under the NEEPP and the resultant Lake Okeechobee, Caloosahatchee River, and St. Lucie River Watershed Protection Plans. The ultimate goal of the plans is to achieve the total maximum daily load requirements for water quality compliance in each watershed. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals.	Update Rule	SERC	Yes
40E-61.051	Exemptions	Amend	Sets forth activities which are exempt from permitting under this rule chapter.	Chapter 40E-61 is being substantially re-written to implement the nutrient source control requirements under the NEEPP and the resultant Lake Okeechobee, Caloosahatchee River, and St. Lucie River Watershed Protection Plans. The ultimate goal of the plans is to achieve the total maximum daily load requirements for water quality compliance in each watershed. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals.	Update Rule	SERC	Yes

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-61.101	Content of Application for Individual and Collective Permits	Amend	Sets forth the requirements for applications for individual permits required by this chapter.	Chapter 40E-61 is being substantially re-written to implement the nutrient source control requirements under the NEEPP and the resultant Lake Okeechobee, Caloosahatchee River, and St. Lucie River Watershed Protection Plans. The ultimate goal of the plans is to achieve the total maximum daily load requirements for water quality compliance in each watershed. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals.	Update Rule	SERC	Yes
40E-61.201	Permit Application Processing Fee	Amend	Sets forth the non-refundable permit application processing fee for permit applications filed under this chapter.	Chapter 40E-61 is being substantially re-written to implement the nutrient source control requirements under the NEEPP and the resultant Lake Okeechobee, Caloosahatchee River, and St. Lucie River Watershed Protection Plans. The ultimate goal of the plans is to achieve the total maximum daily load requirements for water quality compliance in each watershed. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals.	Update Rule	SERC	Yes

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-61.301	Conditions for Issuance for Individual and Collective Permits	Amend	Sets forth the conditions in which an Individual or Collective Permit will be issued under this chapter.	Chapter 40E-61 is being substantially re-written to implement the nutrient source control requirements under the NEEPP and the resultant Lake Okeechobee, Caloosahatchee River, and St. Lucie River Watershed Protection Plans. The ultimate goal of the plans is to achieve the total maximum daily load requirements for water quality compliance in each watershed. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals.	Update Rule	SERC	Yes
40E-61.321	Duration of Permits	Amend	Sets forth the duration of an individual or general permit issued pursuant to this chapter.	Chapter 40E-61 is being substantially re-written to implement the nutrient source control requirements under the NEEPP and the resultant Lake Okeechobee, Caloosahatchee River, and St. Lucie River Watershed Protection Plans. The ultimate goal of the plans is to achieve the total maximum daily load requirements for water quality compliance in each watershed. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals.	Update Rule	SERC	Yes

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-61.331	Modification	Amend	Explains that applications for modifications use the same criteria as new applications.	Chapter 40E-61 is being substantially re-written to implement the nutrient source control requirements under the NEEPP and the resultant Lake Okeechobee, Caloosahatchee River, and St. Lucie River Watershed Protection Plans. The ultimate goal of the plans is to achieve the total maximum daily load requirements for water quality compliance in each watershed. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals.	Update Rule	SERC	Yes
40E-61.351	Transfer	Amend	Requires permittees to notify the SFWMD within 30 days of the sale or conveyance of land or works permitted under this rule chapter.	Chapter 40E-61 is being substantially re-written to implement the nutrient source control requirements under the NEEPP and the resultant Lake Okeechobee, Caloosahatchee River, and St. Lucie River Watershed Protection Plans. The ultimate goal of the plans is to achieve the total maximum daily load requirements for water quality compliance in each watershed. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals.	Update Rule	SERC	Yes

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-61.381	Limiting Conditions	Amend	Sets forth limiting conditions the Governing Board may impose on any individual permit granted under this chapter.	Chapter 40E-61 is being substantially re-written to implement the nutrient source control requirements under the NEEPP and the resultant Lake Okeechobee, Caloosahatchee River, and St. Lucie River Watershed Protection Plans. The ultimate goal of the plans is to achieve the total maximum daily load requirements for water quality compliance in each watershed. The source control requirement is a critical element for successfully achieving the overall water quality restoration goals.	Update Rule	SERC	Yes
40E-400.010 (Chapter 40E-400, No Notice and Noticed General Environmental Resource Permits)	Review of No Notice and Noticed General Environmental Resource Permit Applications	Repeal	Sets forth the statutes and rules in which No Notice and Noticed General Environmental Resource Permit Applications are processed.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-400.021	Definitions	Repeal	Defines the terms used throughout this chapter, in addition to those defined in Rule 40E-4.021, F.A.C.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-400.201	Policy and Purpose	Repeal	Explains the policy of this chapter is to provide general environmental resource permits for those activities which have been determined to have minimal adverse impacts to the water resources of the district, both individually and cumulatively.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-400.211	Processing Procedures for Noticed General Permits	Repeal	Sets forth processing procedures for Noticed General Permits which authorize the construction, operation, maintenance, alteration, abandonment, or removal of certain minor surface water management systems as set forth in this chapter.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-400.215	General Conditions for All No Notice and Noticed General Permits	Repeal	Sets forth general conditions for No Notice and Noticed General Permits that are applicable to, and binding upon permittees.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-400.315	No Notice General Permit for Activities in Uplands	Repeal	Grants a No Notice General Permit for the construction or alteration of minor systems located entirely within uplands, provided they meet all of the specified criteria.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-400.316	No Notice General Permit for Road Grading and Pavement Resurfacing	Repeal	Grants a No Notice General Permit for road grading which involves no change in existing road surface elevation and pavement resurfacing of existing roads, provided the specified criteria are met.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-400.417	General Permit for Construction, Alteration or Maintenance of Boat Ramps and Associated Accessory Docks	Repeal	Grants a General Permit to any person for construction, alteration or maintenance of a boat ramp and the associated accessory docks, provided the specified criteria are met.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-400.427	General Permit for Certain Piers and Associated Structures	Repeal	Grants a General Permit to any person to construct, extend, or remove piers and associated structures, provided the specified criteria are met.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-400.431	General Permit for Installation of Riprap	Repeal	Grants a General Permit to any person installing riprap at the toe of an existing vertical seawall, provided the specified criteria are met.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-400.437	General Permit for the Installation of Fences	Repeal	Grants a General Permit to any person installing a fence in wetlands or other surface waters, except in Outstanding Florida Waters, Outstanding National Resource Waters, Aquatic Preserves, Class II waters, or waters approved, conditionally approved, restricted, or conditionally restricted by the FDEP for shellfish harvesting, provided the specified criteria are met.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-400.439	General Permit for the Construction or Maintenance of Culverted Driveways or Roadway Crossings and Bridges of Artificial Waterways	Repeal	Grants a General Permit to any person for the purpose of constructing or maintaining a driveway, roadway or bridge which crosses an artificial waterway, provided the specified criteria are met.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-400.443	General Permit for Minor Bridge Alteration, Replacement, Maintenance and Operation	Repeal	Grants a General Permit to the Florida Department of Transportation, Counties, Municipalities, the Florida Turnpike Enterprise and the various Transportation Authorities to conduct specific activities related to minor bridge alteration, replacement, maintenance, and operation, provided the specified criteria are met.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-400.447	General Permit for Minor Activities Within Existing FDOT Rights-of-Way or Easements	Repeal	Grants a General Permit to the Florida Department of Transportation, Counties, Municipalities, the Florida Turnpike Enterprise and the various Transportation Authorities to conduct specific minor activities within existing rights-of-way or easements, provided the specified criteria are met.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-400.453	General Permit for the Installation, Maintenance, Repair or Removal of Underground Cables, Conduits, or Pipelines	Repeal	Grants a General Permit for the installation, maintenance, repair or removal of underground cables, conduits or pipelines that transmit electricity, communication signals, potable water, raw water, reclaimed water, domestic wastewater, propane gas or natural gas, provided the specified criteria are met.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-400.455	General Permit for the Construction of Aerial Pipeline, Cable, or Conduit Crossings of Certain Waters	Repeal	Grants a General Permit to any person constructing an aerial pipeline, cable or conduit crossing of artificial waterways and natural waterbodies, where the width of such waterways or waterbodies is not greater than 25 feet, provided the specified criteria are met.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-400.457	General Permit for Subaqueous Utility Crossings of Artificial Waterways	Repeal	Grants a General Permit to any person constructing, repairing or replacing a subaqueous utility crossing of artificial waterways, provided the specified criteria are met.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-400.463	General Permit for the Construction and Operation of Culverts and Associated Water Control Structures in Mosquito Control Impoundments by Governmental Mosquito Control Agencies	Repeal	Grants a General Permit to any governmental mosquito control agency to construct and operate culverts and associated water control structures for the control of water levels in mosquito control impoundments, provided the specified criteria are met.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-400.467	General Permit for Breaching Mosquito Control Impoundments by Governmental Mosquito Control Agencies	Repeal	Grants a General Permit to any governmental mosquito control agency to breach mosquito control impoundments, provided the specified criteria are met.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-400.470	Noticed General Permit for Temporary Agricultural Activities	Repeal	Grants a General Permit to any property owner for temporary agricultural activities, provided the specified criteria are met.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-400.475	General Permit for Minor Activities	Repeal	Grants a General Permit for the construction, alteration, maintenance, operation, abandonment and removal of specified minor systems, provided the specified criteria are met.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-400.483	General Permit to the Department to Conduct Minor Activities	Repeal	Grants a General Permit to the FDEP to conduct the specified minor activities, provided the specified criteria are met.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-400.485	General Permit to the Department for Environmental Restoration or Enhancement Activities	Repeal	Grants a General Permit the FDEP for the construction, alteration, operation, maintenance, removal and abandonment of systems to implement Department or District environmental restoration or enhancement projects, provided the specified criteria are met.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-400.487	General Permit to the Department to Change Operating Schedules for Department or District Water Control Structures	Repeal	Grants a General Permit the FDEP to change the operating schedules for existing water control structures that are owned or operated by the FDEP or the SFWMD when such changes are for the purpose of environmental restoration or enhancement.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No

[South Florida Water Management District]
2012-2013 Annual Regulatory Plan

Rule Number	Rule Title	Rulemaking Action	Description of Current Rule	Description of Changes to be Made in Rulemaking	Reason for Rulemaking	Economic Impact	Highly Technical or Complicated
40E-400.495	General Permit to U.S. Forest Service for Minor Works within National Forests	Repeal	Grants a General Permit the U.S. Forest Service to conduct specified works.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-400.500	General Permit for Construction, Operation, Maintenance, Alteration, Removal or Abandonment of Minor Silvicultural Surface Water Management Systems	Repeal	Grants a General Permit to any person constructing, operating, maintaining, altering, abandoning, or removing specified surface water management systems, provided the specified criteria are met.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No
40E-400.900	Forms and Instructions	Repeal	References Rule 40E-1.659, F.A.C., which lists the forms incorporated by reference and utilized in this chapter.	Delete	Other (It is anticipated that this will be addressed in the SWERP rulemaking initiated by the FDEP in coordination with the five WMDs.)	None	No